

REMARKS

Amendments to claims 3, 15, and 22 are to correct minor grammatical errors. No new matter has been added.

I. Claim Rejections-35 U.S.C. §102

Claims 1 and 2 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,991,646 ("Frank"). Applicant respectfully notes that in order to sustain a claim rejection under § 102, each of the claimed elements must be found, either expressly or inherently, in the cited reference.

Claim 1 recites a speaker that is *located along an axis of minimal sensitivity associated with a microphone* mounted to said microphone boom when said microphone boom is located in either said first position or said second position (Emphasis Added). Frank does not disclose or suggest such limitation. According to the Office Action, column 3, lines 18-20, and column 4, lines 44-50 allegedly disclose the above limitation. However, the cited passages actually disclose:

The microphone arm 102 is attached to the casing 108 with a hinge 103 about which the arm 102 may be rotated.

FIG. 6 illustrates the microphone arm 102, as oriented and hinged in FIG. 5, in an extended position. The microphone 101 may be constructed so that when the arm 102 is moved away from the casing 108, the microphone 101 is automatically powered. Conversely, the microphone 101 may be automatically switched off when the arm 102 is in a folded position as illustrated in FIG. 5.

As such, column 3, lines 18-20 describes a microphone arm 102 that is rotatably coupled to a casing 108, and column 4, lines 44-50 describes that the microphone 101 may be switched on or off by moving the arm 102. There is nothing in these passages that discloses or suggests an axis

of minimal sensitivity associated with a microphone, much less, a speaker that is located along the axis of minimal sensitivity.

According to the Office Action, it is allegedly inherent that there is an axis running through the microphone 101 and the speaker 100 in Frank. However, Applicant respectfully notes that claim 1 recites “an axis of minimal sensitivity,” not “an axis running through the microphone and the speaker.” An axis of minimal sensitivity is a feature associated with the microphone, and it may or may not coincide with an axis running through the speaker and a microphone (for a given speaker and microphone). As such, even if Frank inherently suggests an axis running through the microphone 101 and the speaker 100, this does not automatically result in the speaker 100 being located along an axis of minimal sensitivity.

For at least the foregoing reasons, claims 1 and 2 are believed allowable over Frank.

II. Claim Rejections-35 U.S.C. §103

Claims 3-22 stand rejected under 35 U.S.C. §103(a) as being obvious over Frank in view of U.S. Patent Publication No. 2004/0063456 (“Griffin”).

Claim 3 recites a speaker that is located along an axis of minimal sensitivity associated with said unidirectional microphone when said microphone boom is located in any of said plurality of positions. Claim 22 recites similar limitations. As discussed, Frank does not disclose or suggest a speaker that is located along an axis of minimal sensitivity associated with the microphone when the microphone boom is located in different positions. In addition, there is nothing in Frank that discloses or suggests a microphone that is “unidirectional” (e.g., exhibiting a cardioid characteristic). According to the Office Action, column 1, lines 32-33 allegedly discloses an “unidirectional microphone.” However, the cited passage merely discloses a microphone that is “sensitive,” and therefore, does not disclose or suggest an unidirectional

microphone. Griffin also does not disclose or suggest the above limitations, and therefore, fails to make up the deficiencies present in Frank. Since neither Frank nor Griffin discloses or suggests the above limitations, they cannot be combined to form the resulting subject matter of claims 3 and 22. For at least the foregoing reasons, claims 3-22 are believed allowable over Frank, Griffin, and their combination.

CONCLUSION

Based on the foregoing, all claims are allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

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